

EXHIBIT B

Mark Limback

12/07/2022

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE EASTERN DISTRICT OF MICHIGAN

3 SOUTHERN DIVISION

4 UNIVERSAL TRUCKLOAD, INC.,

5 Plaintiff,

6 -vs-

No. 2:22-CV-10988

7 Hon. Bernard A. Friedman

8 JOSEPH BRIDGE,

9 Defendant.

10 _____/

11 PAGE 1 TO 95

12

13 The deposition of MARK LIMBACK,

14 Taken at 22375 Haggerty Road,

15 Novi, Michigan,

16 Commencing at 1:32 p.m.,

17 Wednesday, December 7, 2022

18 Before Christina Raymond, CSR 7194.

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1 APPEARANCES:

2 MR. JOSEPH N. GROSS (OHIO BAR NO. 0056241)

3 MR. THOMAS D. JACKSON (OHIO BAR NO. 0098911) VIA ZOOM

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10

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17 Appearing on behalf of the Defendant.

18

19 ALSO PRESENT: Joseph Bridge (VIA ZOOM).

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1 Novi, Michigan

2 Wednesday, December 7, 2022

3 About 1:32 p.m.

4 COURT REPORTER: Do you solemnly swear or
5 affirm that the testimony you are about to give will be
6 the truth, the whole truth and nothing but the truth?

7 MARK LIMBACK: I do.

8 MARK LIMBACK,
9 having first been duly sworn, was examined and
10 testified on his oath as follows:

11 EXAMINATION BY MR. GROSS:

12 Q. Mr. Limback, my name is Joe Gross. We met sort of at
13 the deposition of Joe Bridge the other day. I know you
14 were in attendance by Zoom or by phone, as were we. So
15 we're here today to take your deposition as the
16 corporate representative of Universal Truckload, Inc.
17 So for the record can you say your name, spell your
18 last name, and give us your title at Universal
19 Truckload, Inc.?

20 A. My name is Mark Limback, L-I-M-B-A-C-K, and I'm the
21 president of what was formally Universal Truckload.
22 We've recently changed our name to UACL Logistics.

23 Q. Is that UACL Logistics, Inc., or --

24 A. LLC.

25 Q. LLC. Well, this deposition is being transcribed by

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1 Christina Raymond, our court reporter. At the end of
2 the deposition you'll be given an opportunity to say
3 whether or not you'll review the transcript, which is
4 what we're both saying, and your attorney might be able
5 to help you but that would be an option you have at the
6 end to make sure that Christina is accurate.

7 Have you been deposed before?

8 **A. Yes.**

9 Q. When was the last time you were deposed?

10 **A. Oh, jeez. In -- boy, it'd be pure speculation but --**
11 **my memory's slipping me here. 2019.**

12 Q. Okay. And what kind of case was that?

13 **A. Liability case.**

14 Q. Truck accident?

15 **A. Yes.**

16 Q. Have you ever been deposed in a case involving an
17 employee's restrictive covenants?

18 **A. No, I have not.**

19 Q. Well, you saw at Joe Bridge's deposition that the
20 attorney will ask a question, then the deponent, which
21 today is you, has an opportunity to answer. Anything
22 you say will be presumed to be the truth because you,
23 you know, when you raised your right hand you said
24 you'd tell the truth so we're going to presume anything
25 that you say will be the truth. I'm not going to try

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1 Q. I heard that.

2 A. And our shippers and consignees.

3 Q. What's a shipper?

4 A. A shipper is where we go to pick up a load to put on
5 our trailer.

6 Q. And what's a consignee?

7 A. Where we go to deliver a load.

8 Q. And who pays for your services?

9 A. Either the shipper or the consignee.

10 Q. But not the commissioned agent, right?

11 A. No, the commissioned agent does not pay us but they do
12 bring the revenue to us.

13 Q. Because they service the shippers, they get the
14 carriers, and they provide -- they service on behalf of
15 Universal Truckload, Inc., correct?

16 A. Correct.

17 Q. Does Universal -- I'm going to -- just because there's
18 too many subsidiaries of your company and too many
19 names I'm just going to call it Universal. If you
20 don't understand which Universal company I'm talking
21 about just ask, but I'm usually going to be talking
22 about Universal Truckload, Inc., because that's the
23 plaintiff, which is now known as UACL Logistics, LLC,
24 is that fair?

25 A. Yes.

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1 Q. Does Universal Truckload, Inc., have any exclusive
2 relationships with any of its shippers?

3 **A. There's some.**

4 Q. And I understand that the identity of who they are
5 might be confidential, is that how you would see it as
6 well?

7 **A. Yes.**

8 Q. Okay. At this point I'm not going to ask you for any
9 confidential information so if you think information is
10 confidential to your employer just say it's
11 confidential and we'll -- we might ask a question later
12 when we have a suitable protective order, correct?

13 **A. Yes.**

14 Q. What about consignees, does Universal Truckload, Inc.,
15 have any exclusive relationships with consignees?

16 **A. Yes.**

17 Q. And does Universal Logistics have any exclusive
18 relationships with any commissioned agents?

19 **A. Yes.**

20 Q. As far as consignees, what percentage -- approximate
21 percentage of Universal Truckload's business is with
22 exclusive relationships with consignees?

23 **A. I don't have that information off the top of my head.**

24 Q. Approximate. Is it half or more or less than half?

25 **A. It's less than half.**

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1 Q. What about shippers?

2 A. I would say the same.

3 Q. What about commissioned agents?

4 A. That's about 60 percent.

5 Q. Who are -- well, in general who are the competitors of
6 Universal Truckload, Inc.?

7 A. Do you want me to list companies?

8 Q. Kind of companies?

9 A. Landstar, TII and their affiliates, Admiral Merchants,
10 Beemac. There's quite a few.

11 Q. Most of the trucks that we see on the road might be
12 competitors?

13 A. Yes.

14 Q. Does Universal have any -- strike that.

15 Does Universal Truckload, Inc., have any
16 employee drivers?

17 A. Not in my division, no. Let me correct that. No, we
18 do not.

19 Q. Does Universal Truckload, Inc., operate with
20 owner-operators?

21 A. Yes.

22 Q. Independent contractor owner-operators?

23 A. Yes.

24 Q. Does Universal Truckload, Inc., provide brokerage
25 services?

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1 **Logistics go to work there.**

2 Q. Have you ever sued any of the employees who went to
3 Transport Investments, Inc., before?

4 A. **No.**

5 Q. Have any of the employees who went to Transport
6 Investments, Inc., who you're aware of done anything
7 wrong by going to Transport Investments, Inc.?

8 A. **Can you rephrase that?**

9 Q. Okay. That's fine. Are you aware if any of the
10 employees who went to Transport Investments, Inc., from
11 Universal Truckload or one of its predecessors ever
12 violated any agreement they had with Universal
13 Truckload, Inc.?

14 A. **Yes.**

15 Q. Who?

16 A. **David Powell, and Gina Hubs, and Joe Bridge.**

17 Q. What did David Powell do to violate an agreement with
18 Universal Truckload, Inc.?

19 A. **He called on agents -- our agents and tried to get them
20 to go to work for TII or their subsidiaries.**

21 Q. Anything else?

22 A. **That's it.**

23 Q. And what did Universal Truckload, Inc., do about that?

24 A. **We sent him several letters. Our in-house counsel sent
25 him several letters and -- in trying to stop the**

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1 interaction with our people.

2 Q. Did that work?

3 A. Yes.

4 Q. And so to date does Universal Truckload, Inc., have any
5 issues with David Powell?

6 A. No, his 24 months on his non -- non-solicitation
7 agreement have expired.

8 Q. What about Gina Powell, what did she do to violate an
9 agreement with Universal Truckload?

10 A. Do you mean Gina Hubs?

11 Q. Gina -- yes.

12 A. She called on our agents as well and we had our
13 in-house counsel send her a letter and she stopped.

14 Q. And Joe Bridge, what did he do?

15 A. He called on existing customers and he called on an
16 individual that worked for one of our agents in
17 conjunction with our agent as well.

18 Q. Anything else?

19 A. And talked to several other agents as well.

20 Q. So talking to an agent is -- in your mind that's a
21 violation of the agreement that Joe Bridge had?

22 A. He shouldn't be talking or communicating with any
23 people that he worked in the past.

24 Q. So does Universal Truckload, Inc., and Transport
25 Investments, Inc., do they compete for the same

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1 shippers?

2 **A. In some cases, yes.**

3 Q. Do they compete for the same consignees?

4 **A. I don't know that off the top of my head but in general**
5 **practice, yes.**

6 Q. Do they compete for the same agents?

7 **A. They compete for agents.**

8 Q. But no specific agent, just agents?

9 **A. Agents.**

10 Q. Because the more agents a company has in your business
11 the better?

12 **A. Well, that's not necessarily true. The more agents**
13 **generating revenue and bringing revenue to us the**
14 **better.**

15 Q. When did you first become aware of Joe Bridge?

16 **A. When he became an agent for Great American Lines. That**
17 **would have been in 2007, I believe.**

18 Q. And Joe Bridge had a company at that time, right?

19 **A. Yes, he did.**

20 Q. Did you work with Joe Bridge in 2007 or soon thereafter
21 when he was an agent?

22 **A. No.**

23 Q. When was the first -- well, let me ask you this.

24 Did you ever work closely with Joe Bridge?

25 **A. Yes.**

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1 Q. When did that start?

2 A. I got to know Joe Bridge when he was the terminal
3 manager for Great American somewhere around 2013, and
4 then in 2016 Joe became a regional business development
5 guy that fell under my authority.

6 Q. So he reported directly to you in 2016 sometime?

7 A. On a dotted line per se.

8 Q. Who was his direct supervisor?

9 A. I believe at the time it was Mike Silverwood.

10 Q. Mike Silverwood was in what position at the time?

11 A. He was a VP at the time. No, excuse me. He was the
12 president of Mason Dixon and he handled the operations
13 in the south.

14 Q. Operations of what?

15 A. Of our -- he managed our employees that lived in the
16 south as well as the agent base in the south.

17 Q. And the employees of the south included Joe Bridge?

18 A. Yes.

19 (Mr. Jackson no longer present)

20 BY MR. GROSS:

21 Q. Joe Bridge ever work in your headquarters in Michigan?

22 A. No.

23 Q. He was always remote, right?

24 A. Yes. Well, remote is -- what would you mean by remote?

25 Q. Outside of Michigan?

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1 **A. Yes.**

2 Q. He had an office in North Carolina, right?

3 **A. Correct.**

4 (Mr. Jackson now present)

5 BY MR. GROSS:

6 Q. Did you have a role in promoting him to the VP
7 position?

8 **A. Who are we talking about?**

9 Q. Joe Bridge.

10 **A. Joe Bridge was never a VP at our company.**

11 Q. He was a director, right?

12 **A. His highest title was senior director of business
13 development.**

14 Q. And -- well, let me start back. In 2016 were you the
15 one who promoted him into his new role?

16 **A. Yes.**

17 Q. And when he became a senior director did you have a
18 role in that?

19 **A. Yes.**

20 **DEPOSITION EXHIBIT B**

21 **Complaint**

22 **WAS MARKED BY THE REPORTER**

23 **FOR IDENTIFICATION**

24 BY MR. GROSS:

25 Q. The court reporter just handed you a pretty thick

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1 document labeled Exhibit B, which is the complaint in
2 this case. You already said that you were familiar
3 with it, but is that what you recognize Exhibit B to
4 be?

5 **A. Yes.**

6 Q. If you go to page 14 of Exhibit B there's your name at
7 the top of the page. Is that your signature?

8 **A. Yes, it is.**

9 Q. And did you sign this in front of the notary public on
10 April 28th?

11 **A. Yes.**

12 Q. Who is Raven Shefferly?

13 **A. She is an employee of ours who's a notary.**

14 Q. What did you do before signing the agreement or the
15 complaint?

16 **A. I read it.**

17 Q. And you believe that all the statements in that were
18 true, correct?

19 **A. Correct.**

20 Q. If you go to Exhibit 2 of Exhibit B, what is Exhibit 2
21 to Exhibit B?

22 **A. It's an offer letter to Joe Bridge for the position of**
23 **regional business development manager.**

24 Q. And it was signed by the director of HR One, right?

25 **A. Correct.**

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1 **that, but I don't have any of those in my possession.**

2 Q. But either Mr. Monahan or somebody in the company would
3 have those documents, correct?

4 **A. Correct.**

5 Q. Mr. Monahan signs his letter on Exhibit 3 to the
6 complaint as VP Legal Universal Logistics Holdings,
7 Inc. Is he the lawyer for Universal Logistics
8 Holdings, Inc.?

9 **A. Yes.**

10 Q. Is he the lawyer for UACL Logistics?

11 **A. We use his services, yes.**

12 Q. What about Universal Truckload, Inc., before Joe Bridge
13 left, was Mr. Monahan the lawyer for -- well, provide
14 services to Universal Truckload?

15 **A. Yes.**

16 Q. Who would have the receipt, the certified mail receipt,
17 for the letter that was sent to Joe Bridge on
18 November 5th, 2021, which is attached to the complaint
19 as Exhibit 3?

20 **A. I don't know.**

21 Q. So after the letter was sent on November 5th, 2021 did
22 your -- did company's issues with Joe Bridge stop?

23 **A. No.**

24 Q. When was the next time that Joe Bridge -- the actions
25 of Joe Bridge concerned you?

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1 A. I don't have the exact date, but in the spring of 2022

2 I had conversations with Tim Monahan about it.

3 Q. Again, I don't want to know what you talked about.

4 A. Oh, okay.

5 Q. And in the spring what caused you to want to talk to
6 Mr. Monahan?

7 A. We seen additional emails that -- Joe Bridge's
8 Universal Truckload email was forwarded to our agent
9 liaison head and he received emails that indicated that
10 Joe was doing business and still communicating with
11 customers that he dealt with with us, as well as a guy
12 that worked for one of our agents.

13 Q. I want you to look at Exhibit D, which is the 2016
14 agreement. Again, not the one attached to the
15 complaint that was talked about, Exhibit D. What
16 provision in this agreement prevents Mr. Bridge from
17 talking to anyone?

18 A. Paragraph 3.

19 Q. What part of Exhibit 3 says that -- or not Exhibit 3.
20 What part of Section 3 provides that Joe Bridge cannot
21 talk to people?

22 A. Can't solicit business, accept business from, divert
23 business from, or otherwise interfere with any company
24 relationship.

25 Q. Anything else?

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1 **A. I can continue to read the rest of it.**

2 Q. Well, what I'm looking for is -- you said that he's
3 talking to people. You're more concerned with his
4 soliciting people rather than talking to people?

5 **A. Well, the email -- I may have rephrased -- misphrased**
6 **the talking, but the emails clearly indicate that he is**
7 **doing business, diverting business that we would have**
8 **normally handled, and accepting freight from an**
9 **existing customer that he worked with for us under the**
10 **pretense of another individual that worked for an agent**
11 **of ours while Joe Bridge was here.**

12 Q. Point you to Exhibit 4 in the complaint, a letter from
13 Ms. Nichols. Did you see this letter before it went
14 out?

15 **A. Yes.**

16 Q. And you would agree with me that the 2013 agreement and
17 not the 2016 agreement was attached to Ms. Nichols'
18 letter?

19 **A. Yes, I would.**

20 Q. Are you aware that -- did you ever become aware that
21 Mr. Bridge received this letter?

22 **A. Yes, based on Courtney saying that it was hand**
23 **delivered. Courtney being our attorney.**

24 **DEPOSITION EXHIBIT E**

25 **Plaintiff's Answers to Defendant's First Set of**

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1 **Interrogatories and Requests for Production of**
2 **Documents**

3 **WAS MARKED BY THE REPORTER**
4 **FOR IDENTIFICATION**

5 BY MR. GROSS:

6 Q. As you may or may not know, I received supplemental
7 answers to Defendant's First Request For
8 Interrogatories and Request of Production of Documents,
9 I don't know, maybe an hour before today's deposition.
10 Haven't had a chance to look at them, although I did
11 print them out. And I'm sure there's things in there
12 that are different than in the interrogatory answers
13 that you provided to me but I haven't had a chance to
14 review them yet. And so I don't know what I'm going to
15 do about that yet, but I would like to ask you about
16 the former interrogatory answers that you provided on
17 behalf of the company. Then I guess if there's
18 differences we'll address them later. I've handed you
19 -- or the court reporter's handed you a document
20 labeled Exhibit E. Do you recognize this?

21 **A. Yes.**

22 Q. You familiar with this document?

23 **A. Yes.**

24 Q. Do you believe the answers to the interrogatory -- that
25 is interrogatory numbers 1-16 to be true?

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1 **A. Yes.**

2 Q. Did you review them before they were sent to us?

3 **A. Yes.**

4 Q. Let's go to interrogatory No. 1. And the answer is,

5 "Mark Limback and Brian Zimmerman provided information

6 in documents relative to these answers and responses to

7 requests for production of documents." Do you believe

8 that to be true?

9 **A. Yes.**

10 Q. Anybody else provide information and documents relative

11 to these answers and responses to requests for

12 production of documents?

13 **A. No.**

14 Q. Who is Brian Zimmerman?

15 **A. He is the director of our agent services department.**

16 Q. Does he work for you?

17 **A. Yes.**

18 Q. And when you say "our" you mean UACL Logistics, LLC?

19 **A. Yes, sir.**

20 Q. And formally Universal Truckload, Inc.?

21 **A. Yes.**

22 Q. And does he, like you, have other responsibilities?

23 **A. He manages our agent services department and he handles**

24 **our RFPs, request for pricing, request for quoting,**

25 **with -- that come in through the company based on --**

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1 you know, based on former business, future business,
2 and so on.

3 Q. But what company? Does he get involved in the heavy
4 haul business too?

5 A. No, he does not.

6 Q. Just UACL Logistics, LLC, correct?

7 A. That's correct.

8 Q. When you prepared for this deposition did you work with
9 Brian Zimmerman to get prepared?

10 A. No, I did not.

11 Q. Go to interrogatory No. 6. That's on Page 6 of what
12 we're calling Exhibit E. This asked about customers of
13 Universal Truckload, Inc., who were complained by
14 Universal Truckload to have been solicited by Joe
15 Bridge and who Joe allegedly contacted to make a
16 solicitation, right?

17 A. Correct.

18 Q. And the answer was Robert Braunstein who's head of
19 transportation at West Marine because of three emails,
20 right?

21 A. I don't know how many emails that are in there, but
22 that's what it says, yes.

23 Q. Well, that's why we're here. I'm trying to find out
24 what evidence that you, meaning your company, has
25 against my client. So I'm aware of a July 12th, '21

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1 email, an October 22nd, '21 email, and a November 1st,
2 2021 email. My question to you is does the company
3 have any other evidence that Mr. Bridge and
4 Mr. Braunstein -- well, that Mr. Bridge solicited
5 Mr. Braunstein for business?

6 **A. I believe there's additional emails.**

7 Q. At the time that you responded and answered these
8 interrogatories were you aware of those additional
9 emails?

10 **A. No.**

11 Q. But since then you've found additional emails?

12 **A. Correct.**

13 Q. I suppose in this document that I received today there
14 might be some other emails, correct, or do you know?

15 **A. Correct.**

16 Q. When did you discover those additional emails?

17 **A. The end of last week.**

18 Q. What steps did you take to discover those additional
19 emails?

20 **A. I had our IT department go back and search the -- Joe**
21 **Bridge's email address.**

22 Q. Was that the first time that you've done that?

23 **A. Yes.**

24 Q. You didn't do that before we received the answers from
25 the company in September of 2022, correct?

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1 **A. No, I didn't.**

2 Q. Did your IT department give you a report just recently?

3 **A. Not report, just the emails that were found.**

4 Q. And did you give all those emails to your attorney?

5 **A. All the ones that had to do with the people in**
6 **question, yes.**

7 Q. Okay. Well, I'm not going to take the time to look at
8 them now so I'll need to review them with my client.

9 Did the company do anything else since September 4th,
10 2022 to find out how Joe Bridge called on persons to
11 solicit business?

12 **A. No, other than if emails had come in through his email**
13 **address but, no, we did not.**

14 MR. GROSS: So do we need a break?

15 MS. NICHOLS: Sure, we can take a break.

16 (A short recess was taken)

17 DEPOSITION EXHIBIT F

18 Email Thread

19 WAS MARKED BY THE REPORTER

20 FOR IDENTIFICATION

21 BY MR. GROSS:

22 Q. Mr. Limback, we've taken a short break. We're back on
23 the record. And, again, your swearing in applies to
24 your statements now as it did before, you understand
25 that?

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1 A. Yes.

2 Q. The court reporter gave you a document that we've
3 identified as Exhibit F. Do you recognize this
4 document?

5 A. Yes.

6 Q. What is this document?

7 A. It's an email thread. Appears to be between several
8 different people from West Marine and -- a number of
9 people on here from West Marine and then Joe Bridge is
10 on there. And Brian Zimmerman had forwarded it to me
11 because Joe Bridge's Universal Truckload email address
12 has been forwarded to him.

13 Q. So you've had an opportunity to review this document
14 before, right?

15 A. Yes.

16 Q. So what in Exhibit F indicates that there was an
17 ongoing business relationship between Joe Bridge and
18 Mr. Braunstein and West Marine?

19 A. Are we talking about the exhibit in whole or the first
20 page or --

21 Q. No, the exhibit in whole.

22 A. Okay. Yeah, it's clear that Robert Braunstein from
23 West Marine, who was a customer of ours as well, has
24 reached out to Joe Bridge asking questions in regards
25 to Erick La Torre's comments about specific loads and

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1 when loads would be ready, and it clearly shows that
2 West Marine is offering loads to Transport Investments
3 and looking for some answers in regards to Joe Bridge's
4 involvement. And he's obviously involved because why
5 would the customer be reaching out to him asking
6 questions?

7 Q. Where did the customer reach out to Joe Bridge to
8 answer a question?

9 A. Robert -- on the third page Robert Braunstein sends an
10 email to Joe Bridge saying, "Not sure why he's pressing
11 us."

12 Q. How does that indicate to you that Joe Bridge is
13 soliciting West Marine for business?

14 A. Well, if the customer's reaching out to Joe Bridge, Joe
15 Bridge has some involvement and he feels comfortable
16 with asking him a question about loads that were
17 tendered to Transport Investments. And Joe Bridge's
18 Transport Investment email is on some of these threads
19 as well so I wouldn't think the customer would include
20 him without him being involved.

21 Q. Anything else?

22 A. I mean, other than reading it page-by-page it's clear
23 that there's loads being tendered to Transport
24 Investments and with Joe Bridge's involvement to
25 monitor or understand what's happening.

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1 Q. Well, my question is what is in this exhibit that
2 indicates that Joe Bridge solicited West Marine for
3 business?

4 MS. NICHOLS: Just going to object to the
5 form and the foundation. Particularly the word
6 "solicit" to the extent it's calling for a legal
7 conclusion.

8 BY MR. GROSS:

9 Q. You can answer.

10 A. Joe Bridge's involvement is clear with this customer or
11 otherwise why would that customer include Joe Bridge on
12 this email thread concerning that freight that is being
13 handled by Transport Investments, and freight that we
14 possibly could have been picking up as well.

15 Q. What in this Exhibit F indicates that Joe Bridge
16 solicited, however you want to say -- whatever -- well,
17 let me ask you this.

18 What does solicit mean to you?

19 A. It's involved in the business and a part of taking care
20 of that business and servicing that customer.

21 Q. Mr. Limback, I just picked up my telephone and said
22 give me the definition of "solicit." It says on Google
23 solicit means to ask for or try to obtain something
24 from someone. Do you think solicit in Joe Bridge's
25 2013 agreement or the 2016 agreement means something

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1 else?

2 **A. I would say that the agreement -- what's in that**
3 **agreement speaks for itself and it's clearly typed out.**

4 **Q. Must be a lawyer, or talked to one. All right. Have**
5 **you asked or know of anybody at Universal Truckload,**
6 **Inc., or UACL, anybody at West -- well, let me start**
7 **over.**

8 Are you aware of anybody at Universal
9 Truckload, Inc., or its successors who have asked West
10 Marine for the business that Transport Investments,
11 Inc., apparently has?

12 **A. I don't directly know that myself, but that doesn't**
13 **mean people have or have not.**

14 **Q. All right.**

15 **A. Our business has declined substantially and it's**
16 **indicated based on these emails that they are handling**
17 **business that we would have handled in the past.**

18 **Q. But you don't know that, do you? You don't know that**
19 **the business that Transport Investments, Inc., had**
20 **would have been business that Universal Truckload,**
21 **Inc., had, right?**

22 **A. We were hauling those same lanes.**

23 **Q. The same lanes that is on Exhibit F?**

24 **A. I don't know if that or the overall -- on some other**
25 **email that may be out there. But the locations -- the**

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1 two and from locations, we've handled those loads in
2 the past, yes.

3 Q. Same products?

4 A. I don't know what products are on the trucks.

5 Q. Who handles the West Marine account for Universal
6 Truckload, Inc., or its successors?

7 A. Right now it's through our agent Tony and Ron, and
8 there's some other agents that are doing business with
9 them currently.

10 Q. So have they complained to you that Transport
11 Investments, Inc., is making their job tough?

12 A. Have the agents?

13 Q. Yeah.

14 A. Complained to me?

15 Q. Uh-huh.

16 A. They just know that the volumes have declined.

17 Q. Have they asked for more business?

18 A. Oh, I'm sure they have.

19 Q. You're sure?

20 A. I'm sure they have.

21 Q. Do you know who -- well, let's take down these names
22 because I might want to talk to them. So who are the
23 agents?

24 A. Tony Denolla (phonetic).

25 Q. What's his company's name?

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1 **A. He's Lakewood.**

2 **Q. Where is he located at?**

3 **A. New Jersey.**

4 **Q. Who else?**

5 **A. Ron Pacer.**

6 **Q. What's his company?**

7 **A. He's with Lakewood as well.**

8 **Q. In New Jersey?**

9 **A. Yup.**

10 **Q. Who else?**

11 **A. That's the only two I have off the top of my head.**

12 **Q. So it's really one agent, two persons at that agency,**
13 **right?**

14 **A. Could be. There could be more agents involved.**

15 **Q. Does the Lakewood Agency have a contract with West**
16 **Marine?**

17 **A. No, the agreement would be through us.**

18 **Q. And you have an agreement with West Marine?**

19 **A. We have a written agreement. They have not -- we**
20 **signed it, they agreed to all the terms, we do not have**
21 **a countersigned copy of it. They did not provide us**
22 **with one.**

23 **Q. Is that an exclusive agreement?**

24 **A. I don't have the verbiage in front of me.**

25 **Q. Is it in your files?**

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1 **A. It would be in somebody's, not mine.**

2 Q. But it's within the company some place?

3 **A. Yes.**

4 Q. Okay. But to your knowledge it's not an exclusive
5 agreement?

6 **A. No.**

7 Q. Has any employee of Universal Logistics -- well,
8 Universal Truckload contacted Ron Braunstein or anyone
9 else at West Marine for more business?

10 **A. I don't know that off the top of my head, but there's**
11 **communication with him.**

12 Q. Have you had -- meaning has anybody within your company
13 had conversations with Tony Denolla, Ron Pacer, or
14 anyone else about getting more business from West
15 Marine?

16 **A. Yes, Brian Zimmerman actively speaks with them.**

17 Q. Does Brian Zimmerman communicate to Tony Denolla by
18 email?

19 **A. I don't know that for sure.**

20 Q. What about Ron Pacer?

21 **A. I don't know that for sure either.**

22 Q. What about anyone else?

23 **A. His business development individual would.**

24 Q. Who is his development individual?

25 **A. Steve Place.**

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1 Q. P-L-A-C-E?

2 A. **Yes.**

3 Q. Is he an employee of Universal Truckload?

4 A. **Yes.**

5 Q. What's his title?

6 A. **He is senior director of business development.**

7 Q. Joe Bridge's replacement?

8 A. **No, he was just an additional one and counterpart to**
9 **Joe Bridge.**

10 Q. What do you know about Steve Place's communications
11 with West Marine?

12 A. **I don't know -- I don't know that he has or has not.**

13 Q. You don't know if Steve Place has made an outreach to
14 West Marine or an agent to get more West Marine
15 business?

16 A. **You asked me earlier if he communicated with Tony**
17 **Denolla, and that's what I -- that's the individual**
18 **that I gave you.**

19 Q. Oh, I see. So he might have -- he -- I'm glad you said
20 it. So the way I must have said the question or asked
21 the question was did he have communications with
22 Denolla -- Tony Denolla. And what I meant to say, and
23 I'll ask it now, do you know if Steve Place had any
24 communications with Tony Denolla about getting more
25 business from West Marine?

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1 **A. I don't know that firsthand.**

2 Q. What about Ron Pacer?

3 **A. I don't know that firsthand.**

4 Q. But it's true that West Marine is still doing business
5 with Universal Truckload or its successor?

6 **A. Yeah, at a very decreased amount.**

7 Q. Have you got any documentation of how much less?

8 **A. Yes.**

9 Q. When did you -- when did you make those calculations?

10 **A. Yesterday.**

11 Q. But not before then?

12 **A. No.**

13 Q. And I suppose you gave those calculations to your
14 attorney?

15 **A. Yes.**

16 Q. So we'll look at them later. Before yesterday did you
17 make any calculations?

18 **A. I knew the revenue wasn't what it was originally and we**
19 **were monitoring it in comparison to what it was last**
20 **year.**

21 Q. Are you aware of anybody from your company discussing
22 business items, any kind of business items, with Robert
23 Braunstein from West Marine in the last -- well, since
24 Joe Bridge left?

25 **A. Yes, I am aware.**

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1 Q. Anything else?

2 **A. I can't think of at this time.**

3 Q. Has -- since May of 2021 has Universal Truckload
4 acquired any new agents?

5 **A. Yes.**

6 Q. Since May of 2021 has Universal lost relationships with
7 some of its agents?

8 **A. Yes.**

9 Q. And none of that had anything to do -- either the
10 addition or subtraction of agents for Universal
11 Truckload or its successor had anything to do with Joe
12 Bridge?

13 **A. Oh, I believe we lost some agents that had to do with**
14 **Joe Bridge, yes.**

15 Q. Who are they?

16 **A. Jim McDonald.**

17 Q. Who else?

18 **A. David Clark.**

19 Q. Who else?

20 **A. That's it totally lost.**

21 Q. So like Erick La Torre, are you looking for Joe Bridge
22 to pay for all the profits or revenue that Jim McDonald
23 didn't provide Universal?

24 **A. Correct.**

25 Q. What about David Clark, same thing?

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1 A. He didn't generate much revenue, if any, with us so.

2 Q. So you're not looking for any damages from David Clark?

3 A. If there's a monetary way to figure it out we would.

4 Q. Are you aware of any way to figure out monetary damages
5 with regard to David Clark?

6 A. If he went to TII or Jones Motor and generated revenue
7 that could have come to us or would have come through
8 us then, yes, we could figure that out.

9 Q. All right. Who's Jim McDonald?

10 A. He was an agent of ours that Joe Bridge brought on out
11 of Buckhannon, West Virginia.

12 Q. And why did Jim McDonald leave Universal Truckload?

13 A. His deal expired and he decided to leave, and based on
14 comments that I had heard in the past that he wanted to
15 follow Joe Bridge.

16 Q. What comments were those?

17 A. Well, it was basically Joe Bridge indicating that
18 people have called on Jim McDonald to go to work for
19 them but he wasn't going to leave -- other trucking
20 companies, and he wasn't going to leave us because
21 those other trucking companies didn't have a Joe
22 Bridge.

23 Q. So this was while Joe Bridge was still working for
24 Universal Truckload?

25 A. Correct.

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1 Q. Anything else?

2 A. No.

3 Q. What about David Clark, when did he come to -- when did
4 he become an agent of Universal Truckload?

5 A. I don't know the exact date. It was before Joe left.

6 Q. And David Clark left Universal Truckload?

7 A. Yes.

8 Q. Where did he go?

9 A. Jones Motor.

10 Q. And do you know when that happened?

11 A. No, I don't.

12 Q. Before or after Joe Bridge left Universal Truckload?

13 A. After.

14 Q. Do you know how Joe Bridge was involved in David
15 Clark's being associated with Jones Motor?

16 A. No, other than Joe was the guy that put David Clark on
17 as a Universal agent.

18 Q. Have you talked to David Clark?

19 A. No.

20 Q. Has anybody from Universal Truckload talked to David
21 Clark about his role at Jones Motor and why he left?

22 A. I'm not aware if anybody has.

23 Q. What about Jim McDonald, are you aware of anybody from
24 Universal Truckload who's talked to Jim McDonald about
25 why he's now associated with Jones Motor or another

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1 company?

2 **A. No, he left and didn't tell us where he was going.**

3 Q. Since this lawsuit have you tried to get a statement
4 from Jim McDonald to say that Joe Bridge did this or
5 that with him?

6 **A. No, we have not.**

7 Q. Do you have any other evidence besides your belief
8 about Jim McDonald's new relationship with TII or one
9 of its companies?

10 **A. No, I don't.**

11 Q. What about David Clark?

12 **A. Other than an email with him saying he's a Jones Motor**
13 **agent.**

14 Q. Do you know if David Clark was a Jones Motor agent?

15 **A. He signed an email saying he was, and that's the extent**
16 **that I know.**

17 Q. Nothing else?

18 **A. No.**

19 Q. Are you aware of any other lawsuits that Universal
20 Truckload, Inc., has brought within the last five years
21 regarding a similar confidentiality and
22 non-solicitation agreement?

23 **A. With an employee?**

24 Q. With an employee?

25 **A. No, I'm not.**

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1 Q. What about beyond five years?

2 A. I'm not aware of any.

3 Q. Are you familiar with Celeritas Logistics?

4 A. That's the company that Erick La Torre owns.

5 Q. So when you speak of Erick La Torre -- does Universal
6 logistic -- strike all that.

7 Does Universal Truckload or its successors
8 have any relationship today with Celeritas Logistics?

9 A. No, but we feel that we had a potential and they were
10 going to come based on a proposal, but as of right now,
11 no, I'm not aware of one.

12 Q. Does Universal Logistics have any relationship with
13 David Clark today?

14 A. Not at this time.

15 Q. What about Craig Morris?

16 A. Yes.

17 Q. What's Universal Logistics' relationship with Craig
18 Morris today?

19 A. Craig is an agent for us.

20 Q. But not an exclusive agent, or is he?

21 A. Not based on the email that I saw that now he
22 represents Jones Motor.

23 Q. So was he supposed to be an exclusive agent?

24 A. He does not have an exclusive agent agreement with us,
25 no.

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1 Q. So he was -- he was able to do business as an agent for
2 Universal Truckload or its successors and anyone else,
3 correct?

4 **A. As long as they weren't associated with Joe Bridge.**

5 Q. What in Craig Morris's relationship with Universal
6 Truckload says that he can't do business with Joe
7 Bridge?

8 **A. Well, I believe it's -- well, I know it's because he**
9 **could do business with Joe Bridge when Joe Bridge was**
10 **an employee of Universal Truckload or UACL Logistics,**
11 **but if he went to Jones Motor, which we think he did**
12 **after Joe left, then that's -- that's a violation on**
13 **Joe's behalf based on his agreement.**

14 Q. Well, I understand that's what you believe, but my
15 question to you is dealing with what evidence is there.
16 Is there a contract that says that Craig Morris cannot
17 do business with Joe Bridge?

18 **A. From Craig Morris's perspective?**

19 Q. Yes.

20 **A. No, there isn't.**

21 Q. And yet Universal Truckload still does business with
22 Craig Morris, right?

23 **A. Yes.**

24 Q. And Universal Truckload would like to do more business
25 with Craig Morris, right?

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1 **A. Of course, yes.**

2 Q. And what efforts has Universal Truckload done to
3 increase its business with Craig Morris?

4 **A. Just communicating with him about more revenue and**
5 **trying to supply more opportunities that come through**
6 **the door.**

7 Q. But nobody at Universal Truckload to your knowledge has
8 contacted Craig Morris to ask him why he's doing
9 business with Joe Bridge?

10 **A. I wouldn't say nobody because I can't speak for**
11 **everybody.**

12 Q. Well, you can. That's why you're here.

13 **A. Well, there may have or may not have.**

14 Q. You just don't know?

15 **A. I don't know.**

16 Q. But you could find out, right?

17 **A. Yes.**

18 Q. Who would you talk to to find out?

19 **A. Brian Zimmerman.**

20 Q. Anybody else?

21 **A. Rob Franey.**

22 Q. Who is Mr. Franey?

23 **A. He's the current director of business development**
24 **handling the southeast.**

25 Q. Anybody else?

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CERTIFICATE OF NOTARY

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2

3 STATE OF MICHIGAN)

4) SS

5 COUNTY OF MACOMB)

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I, Christina R. Raymond, Certified Shorthand Reporter, a Notary Public in and for the above county and state, do hereby certify that the above deposition was taken before me at the time and place hereinbefore set forth; that the witness was by me first duly sworn to testify to the truth, and nothing but the truth, that the foregoing questions asked and answers made by the witness were duly recorded by me stenographically and reduced to computer transcription; that this is a true, full and correct transcript of my stenographic notes so taken; and that I am not related to, nor of counsel to either party nor interested in the event of this cause.



Christina R. Raymond, CSR-7194

Notary Public,

Macomb County, Michigan

My Commission expires: September 7, 2026